# PROCEEDINGS OF THE COMMON COUNCIL IN REGULAR SESSION, TUESDAY , DECEMBER 28 , 19

CITY OF FORT WAYNE, INDIANA Journal of the Proceedings of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chamber
evening, <u>December</u> , <u>28</u> , A.D., 197 <u>1</u> in <u>Regular</u> Session. President
Phil A. Steigerwald in the chair, and Fuad G. Bonahoom Clerk, at the desk,
present the following membersviz:
Adams _ U Dunifon _ Fay _ Geake _ U Nuckols _ U
Rousseau Schmidt Steigerwald Tipton
Absent

The minutes of the last regular  $\underline{\hspace{0.3cm}}$  December 14, 1971  $\underline{\hspace{0.3cm}}$  session having been delivered to the Ccuncil, were, on motion, approved as published.



Mayor

## City of Fort Wayne

#### COMMUNICATION FROM THE MAYOR

To the Common Council

Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, December 17, 1971, I have approved the following ordinances passed by the Common Council at its regular meeting on December 14, 1971:

(Bill No. Z-67-03-18)

ZONING MAP ORDINANCE NO. Z-157-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-15.

(Bill No. Z-69-09-34)

ZONING MAP ORDINANCE NO. Z-158-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-8.

(Bill No. Z-70-07-18)

ZONING MAP ORDINANCE, NO. Z-195-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. DD-16 and DD-18.

(Bill No. Z-71-09-12)(Amended)

ZONING MAP ORDINANCE NO. Z-160-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-11.

(Bill No. G-71-09-14)

GENERAL ORDINANCE NO. G-130-71

AN ORDINANCE amending Chapter 36, Section 24 (D) (Zoning) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended.

(Bill No. G-71-09-15)

GENERAL ORDINANCE NO. G-131-71

AN ORDINANCE amending Section 7(2) and Section 23 of Chapter 28A (SUBDIVISIONS) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended.

(Bill No. G-71-09-18)

GENERAL ORDINANCE NO. G-132-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Darrow Avenue.



(Bill No. G-71-10-25) GENERAL ORDINANCE NO. G-133-71

AN ORDINANCE amending certain Schedules of Chapter 31 (Traffic) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726 adopted December 22, 1953.

(Bill No. S-71-11-04) SPECIAL ORDINANCE NO. S-765-71

AN ORDINANCE approving payment to JAMES E. HARDING for appraisal fees and expenses in connection with North Clinton Street Project ST-414"C".

(Bill No. A-71-11-19)

APPROPRIATION ORDINANCE NO. A-140-71
AN ORDINANCE transferring funds within the 1971 Budget of the Department of Public Parks.

(Bill No. A-71-11-20)

APPROPRIATION ORDINANCE NO. A.141-71
AN ORDINANCE transferring funds within the 1971 Budget of the Three Rivers Coordinating Council.

(Bill No. S-71-11-21) SPECIAL ORDINANCE NO. S-766-71

AN ORDINANCE approving bid document Ref. No. 424 with ALLEN COUNTY MOTORS, INC. for 2 trucks and with JERRY WATSON FORD, INC. for 1 truck for the Traffic Engineering Department.

(Bill No. S-71-11-22) SPECIAL ORDINANCE NO. S-767-71

AN ORDINANCE approving contract with WAYNE ASPHALT AND CONSTRUCTION CO., INC. for resurfacing Northlawn Drive.

(Bill No. A-71-11-24)

APPROPRIATION ORDINANCE NO. A-142-71

AN ORDINANCE transferring funds within the 1971 Budget of the Fort Wayne-Allen County Civil Defense Department.

(Bill No. S-71-12-08)

SPECIAL ORDINANCE NO. S-768-71

AN ORDINANCE approving Resolution of Board of Public Works in connection with contract with NATIONAL SERV-ALL.

(Bill No. R-71-12-15) RESOLUTION NO. R-132-71

RESOLUTION authorizing the transfer of funds within the 1971 Budget of the Metropolitan Human Relations Commission.

(Bill No. R-71-12-16) RESOLUTION NO. R-133-71

RESOLUTION approving contract between City of Fort Wayne and LAWKENCE-LEITER AND COMPANY to provide consulting services in connection with Community Renewal Program.

(Bill No. R-71-12-17)

RESOLUTION NO. R-134-71
RESOLUTION approving application of City of Fort Wayne for recertification of Workable Program for Community Improvement for the next two years.

(Bill No. R-71-12-18) RESOLUTION NO. R-135-71

RESOLUTION authorizing payment for repairs to City-owned building.

Respectfully submitted,

MADE A MATTER OF RECORD

DATE 12-28-71 FUAS G. BOMAHOOM, CITY CLERK



## City of Fort Wayne

BOARD OF PUBLIC SAFETY

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

December 16, 1971

President of the Common Council City of Fort Wayne, Indiana

Dear Sir:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 64-71/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman BOARD OF PUBLIC SAFETY

By: Sevi Dormuck, George W. Bormuth, Exec. Sec'y.

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MADE A MATTER OF RECORD

DATE 12 - 28-31 FUAD C. BONAHOOM, CITY CLERK

## RETURN CERTIFICATE

(Regulatory Resolution No. 64-71 /E)

I hereby certify that I did thisdthday of
$\_$ December $\_$ , 19 $^{71}$ deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. $\underline{64 {\footnotesize \lnot} 71} \ / \underline{E} \ \ \text{of the Board of Public}$
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordi-
nance G-55, adopted FEB. (4, 1961.

EXECUTIVE SECRETARY

## REGULATORY RESOLUTION NO.54-71/E

(Adopted <u>December</u> 15 , 19 71)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory

Resolutions No. 49-71/E and 55-71/E

\_: and.

WHEREAS, the City Traffic : Engineer has, by written

memorandun dated <u>December</u> 12, 19 71, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective December 19

19 71, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABL ISHED:

- A. Renew 5 Extend Regulatory Resolution 49-71/E No Parking:
  - Lawton Park Road south side from Spy Run Greek Road to 300 ft, west thereof.
  - Mazelwood Avenue north side from 300 ft. east of Crescent Ave. to Oak Grove Ave.
- B. Renew & Extend Regulatory Resolution 55-71/E Traffic Signal:
  - 1. Beacon Street and State Street.



# City of Fort Wayne

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

December 23, 1971

President of the Common Council City of Fort Wayne, Indiana

Dear Sir:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 65-71/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman BOARD OF PUBLIC SAFETY

George W. Bormuth, Exec. Secty.

mb



### RETURN CERTIFICATE

(Regulatory Resolution No. 65-71 /D)

I hereby certify that I did this 23rd day of
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. $\underline{6571}$ / $\underline{D}$ of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordi-
nance G-55, adopted FEB. (4, 1961.

EXECUTIVE SECRETARY

### REGULATORY RESOLUTION NO. 65-71/D

(Adopted <u>December</u> 22, 1971)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 6-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 62 & 120 of said chapter as so amended delegates to this Board authority to designate preferential intersections and restrict parking adjacent to schools

WHEREAS, the City Traffic Engineer has, by written

memorandum dated **December** 21, 19 71, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 62 & 120 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective <u>December</u> <u>22</u>, 1971, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

#### A. Preferential Intersection:

- Buell Dr. preferential at Fairfax Ave.
   Chancellor Dr. preferential at Highwood Dr.
- B. No Parking:
  - Williams St. south side from Lafayette St. to 105 ft. west thereof
- C. No Parking 7:00 AM to 4:00 PM School Days Only:
  - Williams St. south side from 105 ft. west of Lafayette St. to 115 ft. west thereof



# ty of Fort

City Plan Commission William J. Jones, Director City-County Building One Main Street Fort Wayne, Indiana 46802

#### December 27, 1971

#### COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street

Fort Wayne, Indiana 46802

Gentlemen and Mrs. Fau:

Attached hereto are the recommendations of the City Plan Commission on ten (10) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

> Bill No. Z-69-05-16 Bill No. Z-70-01-08 Bill No. Z-70-01-09 Bill No. Z-70-02-32 Bill No. Z-70-03-22 Bill No. Z-70-05-26 Bill No. Z-71-01-23 Bill No. Z-71-02-06 Bill No. Z-71-04-11 Bill No. Z-71-09-10

> > Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this 27th day of December 1971. Mary Ann Haynie

Secretaru



WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 13, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-05-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendement will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971. Mary Cun Haynie

Mary Ann Haynie

Secretary

WHEREAS, the Common Council of the City of Fort Mayne, Indiana, on January 13, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-01-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971.

Mary Ann Haynie

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 13, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. 2-70-01-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1970; and,

WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971. Mary ann Haynie

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 24, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-02-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendement will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Mayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971.

Mary ann Haynie

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 10, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-03-22: and.

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law: and.

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1970:

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971. Mary Ann Haynie

Secretaru

WHEPEAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. 2-70-05-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971.

Mary ann Haynie

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 26, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-01-23, and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 15, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971.

Mary ann Haynie

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 9, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-02-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 15, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971.

Mary Ann Haynie

Mary Ann Haynie

Secretary

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 13, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-04-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 17, 1971; and,

WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 20, 1971.

Certified and signed this 27th day of December 1971.

Mary ann Haynie

WHEREAS, the Common Council of the City of Port Wayne, Indiana, on September 14, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. 2-71-09-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 15, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 22, 1971.

Certified and signed this 27th day of December 1971.

Mary ann Haynie

Mary Ann Haynie

Secretary

The Council then adjourned.

#### CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of port Wayne, Indiana for its Regular Session, held on Tuesday, the 28th day of December , 19 72; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of
Fort Wayne, Indiana, this 29th day of December
19 71. . . .

Fuad G. Bonahoom City Clerk

SEAL